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ZOLINE ON FEDERAL APPELLATE JURISDICTION AND PROCEDURE. By Elijah N. Zoline. Revised by Stephen A. Day. New York: Clark Boardman Co., Ltd.

The amount of litigation in the federal courts is increasing. "The Federal Reporter," founded in the early eighties, already exceeds 240 volumes. This number substantially equals the reports of all the superior federal courts up to that time and also the reports of the Supreme Court of the United States from the founding of the Republic to date. The practice in the federal courts of first instance conforms to a certain extent to the practice of the states in which those courts sit. The appellate jurisdiction and procedure of the federal courts is governed by the federal rule alone. Thus knowledge of the state appellate jurisdiction and procedure is no guide to that of the federal courts. The work in question furnishes that guide.

The rules as to appellate jurisdiction and procedure are frequently technical. It is essential that the practitioner should be able swiftly to locate the statute, rule, or decision which determines his precise point. In such a subject reasoning by analogy is open to peculiar dangers. The large space devoted to the subject of "Appeal and Error" in the Digest of the Federal Reporter and Supreme Court of the United States indicates how many are the possible pitfalls and the high percentage of casualties. Excellence of arrangement and adequate indexes are the first requisites of a work on such a subject.

The present work fulfils both requirements. The text is divided into nineteen chapters. Each chapter deals with a particular subject or phase of the subject. Each paragraph is numbered and entitled. At the head of each chapter is an index which refers to each paragraph by number. These chapter tables of contents are gathered together to form the general table of contents. An adequate subject index is placed at the back of the volume. In addition there is a table of cases indexed with reference to the page or pages on which the case is cited. An appendix of forms duly indexed adds to the convenience of the book. With these aids the practitioner is enabled to locate his precise point with a minimum of effort.

The text is unusually clear and lucid. The sentences and the paragraphs are short. The subject does not lend itself to the theoretical discussion which makes the peculiar value of a book like Gray's "Perpetuities." But the author has read and digested his material. He has not contented himself with reproducing a series of headnotes for which he supplies the connectives. The result is a great gain in clearness and a consequent saving of time. The lawyer who uses this book materially decreases the chance that his case will perish in that great American desert named "Appeal and Error."

EDWIN H. ABBOT, JR.

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INTERNATIONAL LAW AND PRACTICE. With Appendixes containing Hague Conventions of 1907, Declaration of London, 1909 (with Drafting Committee's Report), and Materials concerning Branches thereof susceptible of Adjustment on the Termination of the War (Supplemental to "Problems of International Practice and Diplomacy"). By Sir Thomas Barclay, London. Boston. 1917. pp. xvi, 216.

The above title gives an idea of the character of this book. It is in the main a collection of material which would be very serviceable at any international conference. With the exception of seventy-five pages, the appendixes above mentioned make up the book. The appendixes include such material as has behind it support sufficient to make it necessary that any international conference give the material consideration, even though, in some instances, it has not yet been embodied in conventions, and even when embodied in conventions, the conventions may not have been adopted by formal state ratification.

The seventy-five pages of text with wide margin for notes compare the work of the First and Second Hague conferences, consider the proposed Convention for an International Prize Court, and the Declaration of London as related to the Prize Court Convention, and discuss other problems which may confront the Third Hague Conference, or any other international conference after the war. Such important unsettled questions as the law relating to aircraft, the occupation of unoccupied territories, and leased territory, are mentioned with constructive suggestions.

It was and is the hope of Sir Thomas Barclay that this book be of service in facilitating international agreements. He says: "To sneer at The Hague court, at arbitration, at peace methods, at international law generally because the most terrible war the world has ever seen has broken out in spite of them, is just about as reasonable as to sneer at engineering, architecture and the science of building generally, because an earthquake or an inundation has destroyed some of man's finest work. The short sight of practical mediocracies, however, will always appeal to other short-sighted mediocracies just as sheep will follow their own bell-wether, and their sneers are of no ultimate effect.

"Wars are explosions of national anger and, while the excitement lasts, nations are just about as sensible as individuals in the midst of a violent quarrel. That the excitement will exhaust itself and that men will return to a normal state of mind and see things in their proper proportions is as certain as the play of action and reaction in the course of things mundane in general."

To the superficial observer such words may seem unjustified, but the book itself is offered as forming a partial justification for the belief. G. G. W.

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LEGISLATIVE METHODS IN THE PERIOD BEFORE 1825. By Ralph Harlow.  
Yale University Press.

Mr. Harlow has written a useful and competent monograph upon an important subject of which little enough is known. He has realized that legislative progress, like that of the law, is "secreted in the interstices of procedure," and what he has written constitutes a really valuable essay in the technique of parliamentary government. He has realized that in a matter such as this the reality is likely to be highly different from the theoretic forms, and if he has made no striking discoveries, he has at any rate painted a convincing picture. His book illustrates the great extent to which the life of a political assembly is dependent upon its forms, and how different those forms well may be in the hands of different leaders. He shows that the period of Clay's leadership marks a real turning-point in the history of Congress, because he was the first man who was not only Speaker, but also the leader of a majority party who consciously used his office to magnify that party. He illustrates with no little vividness of detail the way in which the history of legislative methods is a slow departure from the traditional English system. He makes plain how much importance is to be ascribed to the presence or absence of able men in either chamber of Congress. It is interesting to watch the curious fluctuations in the standing-committee system, and to realize how much of their power has depended upon the disappearance of the excessively legalistic spirit of the first twenty-five years of the Union. He shows with clearness that the real secret of the triumph of the committee system in Congress was the way in which it was able to go behind the impossible theory of the separation of powers and provide a suitable, even an efficient, avenue of communication between the Cabinet and Congress. He makes us understand how vital was the influence of Hamilton in insisting upon the rigid organization of his party. He has many minor details, such as the story of the Boston junto (Chapter II) and its analogue in New York. The basic fact which here emerges is the constant struggle